

Amendments to the Claims:

1. (cancelled)
2. (cancelled)
3. (cancelled)
4. (currently amended) A The-skimmer system of Claim 3 attached to a tank

having fluid therein, the fluid in the tank defining a tank fluid surface, the system comprising:

a) a reservoir to receive fluid from the tank, the fluid in the reservoir defining a reservoir fluid surface, the level of the reservoir fluid surface being maintainable below the level of the tank fluid surface;

b) an inlet defining an inlet edge, an inlet surface and a fluid transfer rate, the inlet being positioned adjacent to the tank, the inlet edge being located below the level of the tank fluid surface, the inlet surface declining away from the tank, the inlet surface being positioned above the reservoir to transfer the fluid from the tank to the reservoir;

c) a reservoir pump connected to the reservoir to transfer fluid from the reservoir to the tank, the reservoir pump having a fluid transfer rate greater than the inlet fluid transfer rate;

d) a filter between the inlet and the reservoir to retain particulate within the fluid;

e) a weir defining a weir edge, the weir edge being substantially below the level of the tank fluid surface to allow particulate in the fluid to pass under the weir when the reservoir pump is activated and to prevent particulate on the fluid from passing under the weir when the reservoir pump is deactivated;

f) a fluid level regulator which monitors the reservoir fluid surface and controls the reservoir pump to maintain the level of the reservoir fluid surface sufficiently below the level of the tank fluid surface wherein the fluid level regulator activates the reservoir pump when the level of the reservoir fluid surface is not substantially below the level of the tank fluid surface.

5. (original) The skimmer system of Claim 4 wherein the reservoir pump is activated for a set period of time to drain the reservoir.

6. (currently amended) The skimmer system of Claim 4 ~~Claim 5~~ wherein fluid level regulator de-activates the reservoir pump when the fluid level regulator is in a down position.

7. (cancelled)

8. (currently amended) The skimmer system of Claim 4 ~~Claim 1~~ wherein the inlet edge is about one inch below the level of the tank fluid surface.

9. (currently amended) The skimmer system of Claim 8 ~~Claim 9~~ wherein the inlet edge is about 24 inches wide and an inlet opening is about four inches high.

10. (currently amended) The skimmer system of Claim 4 ~~Claim 1~~ wherein the inlet surface has a decline of about 20 degrees.

11. (currently amended) The skimmer system of Claim 4 ~~Claim 1~~ further comprising a conical tray with an aperture at the center thereof being positioned above the reservoir, the aperture being sized and configured to receive and secure the filter, the conical tray located under the inlet so as to receive the fluid transferring through the inlet.

12. (currently amended) The skimmer system of Claim 4 ~~Claim 1~~ wherein the reservoir has capacity of about 12 to 16 cubic feet.

13. (currently amended) The skimmer system of Claim 4 ~~Claim 13~~ wherein the reservoir has a cylindrical configuration.

14. (currently amended) The skimmer system of Claim 13 ~~Claim 14~~ wherein the radius of the reservoir is thirty inches.

15. (currently amended) The skimmer system of Claim 4 ~~Claim 13~~ wherein the reservoir has a tubular ~~eubular~~ configuration.

16. (currently amended) The skimmer system of Claim 15 ~~Claim 16~~ wherein the reservoir has a base dimension of thirty inches by thirty inches.

17. (currently amended) The skimmer system of Claim 4 ~~Claim 1~~ further comprising an overflow valve attached to the reservoir one inch above the inlet edge.

18. (currently amended) The skimmer system of Claim 4 ~~Claim 1~~ further comprising a cover for closing a utility access opening formed in a fabricated surface

surrounding the tank and positioned above the filter, the access opening extending through the fabricated surface having an exposed appearance, the cover comprising a cap member engagable within the opening, the cap member having a cross sectional cavity adapted to receive a selected material, the cap member further having at least one hand engagable grip for lifting the cap member and the material placed in the cavity of the cap member from the opening, wherein the cap member with the material disposed within the cavity thereof provides an exposed surface having an appearance substantially identical to the exposed appearance of the fabricated surface.

19. (Cancelled)

20. (Cancelled)

21. (Cancelled)

22. (Cancelled)

23. (Cancelled)

24. (Cancelled)

25. (Cancelled)

26. (Cancelled)

27. (Cancelled)

28. (Cancelled)

29. (Cancelled)

30. (Cancelled)

31. (Cancelled)

32. (Cancelled)

33. (new) The skimmer system of Claim 4 wherein the level of the reservoir fluid surface is not substantially below the level of the tank fluid surface when the level of the reservoir fluid surface is less than about three inches below the level of the tank fluid surface.

34. (new) The skimmer system of Claim 4 wherein the fluid level regulator de-activates the reservoir pump when the level of the reservoir fluid surface is more than about three inches below the level of tank fluid surface.

35. (new) A skimmer system attached to a tank having fluid therein, the fluid in the tank defining a tank fluid surface, the system comprising:

- a) a reservoir to receive fluid from the tank, the fluid in the reservoir defining a reservoir fluid surface, the level of the reservoir fluid surface being maintainable below the level of the tank fluid surface;
- b) an inlet defining an inlet edge and a fluid transfer rate, the inlet being positioned adjacent the tank to transfer the fluid from the tank to the reservoir;
- c) a reservoir pump connected to the reservoir to transfer fluid from the reservoir to the tank;
- d) a filter between the inlet and the reservoir to retain particulate within the fluid;
- e) a fluid level regulator which monitors the reservoir fluid surface and controls the reservoir pump to maintain the level of the reservoir fluid surface below the level of the tank fluid surface wherein the fluid level regulator activates the reservoir pump when the level of the reservoir fluid surface is not substantially below the level of the tank fluid surface.

36. (new) The skimmer system of Claim 35 wherein the level of the reservoir fluid surface is not substantially below the level of the tank fluid surface when the level of the reservoir fluid surface is less than about three inches below the level of the tank fluid surface.

37. (new) The skimmer system of Claim 35 wherein the fluid level regulator deactivates the reservoir pump when the level of the reservoir fluid surface is more than about three inches below the level of tank fluid surface.

38. (new) The skimmer system of Claim 35 wherein the fluid transfer rate of the inlet is equal to the fluid transfer rate of the reservoir pump.